UNITED
NATIONS

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Economic and Social
Council

Distr.
GENERAL

E/CN.4/Sub.2/1991/51
29 July 1991

ENGLISH
Original: ARABIC

COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-third session
Item 6 of the provisional agenda

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND OF APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES: REPORT OF THE SUB-COMMISSION UNDER COMMISSION ON HUMAN RIGHTS RESOLUTION 8 (XXIII)

Note verbale dated 3 July 1991 from the Permanent Mission of the Republic of Iraq to the Centre for Human Rights

The Permanent Mission of the Republic of Iraq at Geneva presents its compliments to the Centre for Human Rights and has the honour to inform it as follows:

In spite of the exceptional circumstances with which Iraq has been faced as a result of the war launched against it by the coalition States and the subsequent disturbances that threatened its security and integrity and the lives of its citizens, the State authorities in Iraq at all levels from the President of the Republic to the officials responsible for security have repeatedly stressed the need to maintain the rule of law and apply its provisions without any discrimination in order to ensure that citizens enjoy their fundamental rights and freedoms. During his meeting with senior security officials on 13 June 1991, the President of the Republic emphasized the need to apply the provisions of the laws in force, particularly the

stipulation that houses can be searched solely on the basis of an order issued by the competent judicial authorities and that the mayor or parliamentary representative of the district must be present during all such search operations. That directive reaffirms the provisions of the law, as well as the Government's desire to ensure the security and safety of its citizens and prevent individuals or bodies from exploiting the situation in a manner detrimental to the security of citizens and the reputation of the State authorities.

The Director-General of the Police has also urged citizens to verify the identity of persons claiming to be acting under orders to carry out searches. He emphasized that such persons must present a search warrant issued by the competent authorities and that the local mayor or parliamentary representative must be present, as already indicated.

This policy was also embodied in the Prime Minister's statement announcing his ministerial programme, in which he affirmed the Iraqi Government's commitment to the principle of the rule of law and its determination to prevent anyone from infringing that principle.

It is noteworthy that these measures are in keeping with Iraq's commitment to the principles of human rights and fundamental freedoms, particularly those set forth in articles 9, 14 and 17 of the International Covenant on Civil and Political Rights, to which Iraq is a party.

The State authorities are conducting a substantive review of all the measures and laws the enactment of which was necessitated by the exceptional circumstances facing Iraq, with a view to abrogating them in order to promote the enjoyment by citizens of their fundamental rights and freedoms.

The Permanent Mission of the Republic of Iraq would be grateful if the Centre would kindly bring the above text to the attention of the rapporteurs of the Commission on Human Rights who are concerned with this matter. The Centre is also requested to transmit a copy of this text to the chairman of the forty-third session of the Sub-Commission on Prevention of Discrimination and Protection of Minorities so that it can be circulated among the members of the Sub-Commission.

The Mission takes this opportunity to convey to the Centre for Human Rights the assurances of its highest consideration.

Geneva, 3 July 1991